



6-705

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Dated: June 6, 2005 Signature: *Annette Devereux*  
(Annette Devereux.)

Docket No.: HO-P02682US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Orla M. Conneely et al.

Application No.: 10/620,256

Confirmation No.: 9752

Filed: July 15, 2003

Art Unit: N/A

For: PRODUCTION OF RECOMBINANT  
LACTOFERRIN AND LACTOFERRIN  
POLYPEPTIDES USING CDNA  
SEQUENCES IN VARIOUS ORGANISMS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A full translation of the non-English language references is enclosed.

A copy of each required reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02682US1. A duplicate copy of this paper is enclosed.

Dated: June 6, 2005

Respectfully submitted,

By 

Melissa W. Acosta, Ph.D.

Registration No.: 45,872

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PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/620,256
	Filing Date	July 15, 2003
	First Named Inventor	Orla M. Conneely
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02682US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  Return Receipt Postcard 1 Reference
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Melissa W. Acosta, Ph.D.		
Date	June 6, 2005	Reg. No.	45,872

Transmittal	
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Dated: June 6, 2005	Signature:  (Annette Devereux)



Application No. (if known): 10/620,256

Attorney Docket No.: HO-P02682US1

## Certificate of Express Mailing Under 37 CFR 1.10

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on June 6, 2005  
Date

*Annette Devereux*

Signature

Annette Devereux

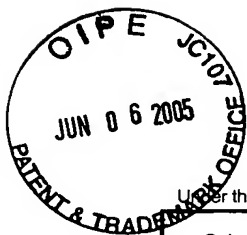
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IDS (Citation) by Applicant (2 pages)  
Information Disclosure Statement  
Transmittal



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/620,256
Filing Date	July 15, 2003
First Named Inventor	Orla M. Conneely
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	HO-P02682US1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,198,419	03-30-1993	AGENNIX INCORPORATED	
	AB	US-5,955,316	09-21-1999	AGENNIX INCORPORATED	
	AC	US-5,571,697	11-05-1996	AGENNIX INCORPORATED	
	AD	US-20030105006	06-05-2003	AGENNIX INCORPORATED	
	AE	US-20030190303	10-09-2003	AGENNIX INCORPORATED	
	AF	US-20040009895	01-15-2004	AGENNIX INCORPORATED	
	AG	US-SN 10/733,621		AGENNIX INCORPORATED	
	AH	US-20050075277	04-07-2005	AGENNIX INCORPORATED	
	AI	US-SN 10/732,429		AGENNIX INCORPORATED	
	AJ	US-20040009896	01-15-2004	AGENNIX INCORPORATED	
	AK	US-6,635,447	10-21-2003	BAYLOR COLLEGE OF MEDICINE	
	AL	US-6,111,081	08-29-2000	AGENNIX INCORPORATED	
	AM	US-5,766,939	06-16-1998	AGENNIX INCORPORATED	
	AN	US-6,080,559	06-27-2000	AGENNIX INCORPORATED	
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	AR	US-6,399,570	01-04-2002	AGENNIX INCORPORATED	
	AS	US-20040142037	07-22-2004	AGENNIX INCORPORATED	
	AT	US-SN 10/728,275		AGENNIX INCORPORATED	
	AU	US-SN 10/844,865		AGENNIX INCORPORATED	
	AV	US-SN 10/862,213		AGENNIX INCORPORATED	
	AW	US-SN 10/728,521		AGENNIX INCORPORATED	
	AX	US-20040082504	04-29-2004	AGENNIX INCORPORATED	
	AY	US-5,571,691	11-05-1996	AGENNIX INCORPORATED	
	AZ	US-5,849,881	12-15-1998	AGENNIX INCORPORATED	
	AA1	US-6,228,614	05-08-2001	AGENNIX INCORPORATED	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-0203910-A2	01-17-2002			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/620,256
				Filing Date	July 15, 2003
				First Named Inventor	Orla M. Conneely
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	HO-P02682US1
Sheet	2	of	2		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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